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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,054	06/14/2000	Michael Kaplan	07844-427001	7627

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EXAMINER

TRAN, QUOC A

ART UNIT PAPER NUMBER

2176

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/594,054

Applicant(s)

KAPLAN ET AL.

Examiner

Quoc A. Tran

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 October 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-46.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
11/10/2005

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed after the final rejection on 10/21/2005 have been fully considered but they are not persuasive. In response to applicant's arguments on pages 11-17, for claims 1-3, 5-6, 8-11, 13-24 and 26-46, Applicant argues the rejection under 35 USC 103, Obviousness (see Remarks, pages 11-17). To concisely address the elaborate arguments presented, the Examiner respectfully disagrees for the detailed reasons stated in the rejection of each claim limitation previously presented in Office Action mail date 08/23/2005 (please see rejections for detail). In further support of the previous Office Action, please note the following:

Additionally, the main thrust of the applicant's argument is Horvitz '226, in view of Smethers '640 are not teaching receiving a first user input on a client device bookmarking a remote destination displayed on the client device, in response to the first user input, storing a link to the destination and a link to a remote bookmark media object associated with the destination on the client device, receiving a second user input on the client device requesting a display of a bookmark window in response to the second user input display a bookmark window receiving a third user input on the client device, and in response to the third user input, accessing the destination receiving a second user input on the client device requesting a display of a bookmark window, Using the broadest reasonable interpretation of the claims, the Horvitz '226 reference teaches and/or suggests all the above limitations but, storing a link to the destination, retrieving the remote associated bookmark media object, including in the display of a bookmark window, a bookmark for the destination, and the retrieved remote associated bookmark media object the retrieved remote associated bookmark media object providing a representation of the destination, selecting the remote associated bookmark media object displayed in the bookmark window, however (Smethers '640 at col. 2, lines 5-35, described the existing approaches to use of bookmarks on wireless client devices have various problems, such as several navigation actions are required to select a single bookmark, need to be transmitted from the wireless client devices in requests for the bookmarked documents identified by the URLs and URLs for the bookmarks need to be provided on or obtained by and stored in the wireless client device seeking to make use of a bookmark Although storage of bookmarks and their associated URLs on desktop and laptop computers does not significantly impact the memory resources of desktop and laptop computers, storage of bookmarks and their associated URLs does represent a significant burden on the limited memory resources of wireless client devices. Some of the URLs can be rather lengthy, requiring considerable bandwidth and airtime. Thus, for improving the above problems, Smethers '640 at col. 2, line 35 through col. 15, line 55; also see Fig. 8-9 and Fig. 2-4, discloses a remote server using a user interfaces (e.g. client devices) of obtaining a compact bookmark identifier (URLs) for selecting bookmark document, wherein a wireless communication system, includes a plurality of wireless client devices and a server device coupled to a wireless network servicing the wireless client devices, wherein each of the wireless devices including a keypad, a memory, a screen display and a processor. The processor operates to execute computer program code to generate a compact bookmark when a key on the keypad is depressed and held for a predetermined time period. The server device provides storage for bookmark information for the wireless client devices. The bookmark information is stored associated with user accounts for the wireless communication devices. Upon receiving a compact bookmark from one of the wireless communication devices, the server produces a request to a remote server storing a document or file associated with the compact bookmark, where the request is formed based on the compact bookmark and bookmark information) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein storing a link to the destination, retrieving the remote associated would have been an obvious variant of server device provides storage for bookmark information for the wireless client devices, wherein a remote server using a user interfaces (e.g. client devices) of obtaining a compact bookmark identifier (URLs) for selecting bookmark document, to a person of ordinary skill in the art at the time the invention was made.

In regard to independent claims 13, 22, 31 and 40, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following and are similarly rejected along the same rationale, Examiner read the above in the broadest reasonable interpretation to the claim limitation, Particularly claim 13 recites storing a bookmark media object on one or more servers within the computing environment; updating each bookmark media object as a function of a state of the corresponding network destination would have been an obvious variant of storing a link to the destination, retrieving the remote associated bookmark media object, including in the display of a bookmark window, a bookmark for the destination, and the retrieved remote associated bookmark media object the retrieved remote associated bookmark media object providing a representation of the destination, selecting the remote associated bookmark media object displayed in the bookmark window, which recites in claim 1 to a person of ordinary skill in the art at the time the invention was made, thus incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following and are similarly rejected along the same rationale.

Therefor the previous rejection is proper for at least the reason state above and in the previous rejection.

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
11/10/2005